



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

November 3, 2009

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To: Supervisor Don Knabe, Chairman  
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Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

## **SACRAMENTO UPDATE**

This memorandum contains a pursuit of position on SB 69 which would delay the implementation of changes to the In-Home Supportive Services (IHSS) Program.

### **Pursuit of County Position on Legislation**

**SB 69 (Committee on Budget and Fiscal Review)**, which as amended on November 2, 2009, would delay the implementation of IHSS Program changes enacted as part of the FY 2009-10 State Budget Act which are to be effective November 1, 2009.

The FY 2009-10 Human Services Budget Trailer Bill, ABX4 4, eliminates IHSS domestic and related services for recipients who require minimal assistance and who are the least functionally impaired except for those with paramedical services or protective supervision and/or at least 120 in overall IHSS service hours per month. In addition, the FY 2009-10 IHSS Reforms Budget Trailer Bill, ABX4 19, requires counties to screen caregivers, complete criminal background checks and fingerprint IHSS providers, conduct unannounced home visits of high-risk cases, and complete in-person verification of provider identification by county social workers. Each measure is effective November 1, 2009.

On October 28, 2009, the Assembly Budget Committee and Senate Budget Subcommittee No. 3 heard testimony from the County Welfare Directors Association that counties will not be able to implement the IHSS changes by the November 1, 2009

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deadline because the State has yet to provide complete instructions or sufficient funding. As a result of the hearing, Committee on Budget and Fiscal Review introduced clean-up legislation, SB 69, to set a new implementation date for the IHSS changes.

SB 69 would require the California Department of Social Services (CDSS) to convene a stakeholder group to conduct a series of meetings to review the IHSS changes and propose guidelines for the appropriate and efficient implementation of these changes. SB 69 also would delay implementation of IHSS Program changes until 60 days after the stakeholder process is concluded. Upon completion of the stakeholder process, CDSS would be required to notify the Joint Legislative Budget Committee that the IHSS changes may be implemented, and they would then be required to issue final instructions and allocate funds to counties. The stakeholder process and the report to the Joint Legislative Budget Committee must be completed by February 1, 2010. The measure contains an urgency clause which would require two-thirds vote by the Legislature to pass to make it effective immediately.

According to the Department of Public Social Services (DPSS), the new IHSS provider enrollment requirements will impact 185,000 IHSS recipients in Los Angeles County. The Department processes over 4,000 new IHSS applications each month and completes an average of 1,000 provider changes monthly. Every IHSS provider must submit fingerprints and undergo a criminal background check before being approved to provide IHSS services. However, the Department has not received final instructions or funding from the State to implement these requirements. DPSS indicates that without an extension thousands of IHSS recipients will be prevented from receiving services, because they will be unable to secure a provider.

The Department of Public Social Services and this office support SB 69. Consistent with existing Board policy to support proposals to ensure the delivery of all eligible services, quality of care, the health and safety of IHSS consumers, and the integrity of the IHSS Program, **the Sacramento advocates will support SB 69.**

SB 69 passed the Assembly Floor on November 2, 2009, by a 68 to 0 vote, and now proceeds to the Senate.

We will continue to keep you advised.

WTF:RA  
MR:IGEA:sb

c: All Department Heads  
Legislative Strategist